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3 UNITED STATES DISTRICT COURT
4 WESTERN DISTRICT OF WASHINGTON
5 AT SEATTLE

6 AECON BUILDINGS, INC.,
7
8 Plaintiff,
9 v.
10 ZURICH NORTH AMERICA, et al.,
11 Defendants.

Case No. C07-832MJP

ORDER GRANTING MOTION
FOR CLARIFICATION BUT
DENYING MOTION FOR
RECONSIDERATION

12 This matter comes before the Court on Defendant Zurich's motion to clarify and for
13 reconsideration regarding the Court's August 15, 2008 Order granting Aecon's motion for
14 sanctions against Zurich. (Dkt. No. 213.) Zurich requests that the Court clarify its order to
15 provide that Zurich need only provide its bills for in camera review or, alternatively, provide
16 them to Aecon in redacted form. Zurich also requests that the Court reconsider its ruling that
17 Zurich violated the "spirit" of the discovery rules. Having considered the motion, the Court
18 GRANTS the request for clarification but DENIES the request for reconsideration.

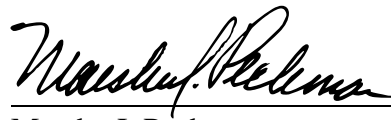
19 First, the Court ordered Zurich to produce all bills covering Soha & Lang's work on this
20 case from September 4, 2007 through May 23, 2008. Those invoices shall be filed on the
21 Court's electronic filing system, but may be filed in redacted form. Zurich need only produce
22 the amount billed, who billed that amount, the dates of the work, and a certification of the bills.

23 Second, reconsideration is not warranted. In this district, motions for reconsideration are
24 disfavored. The Court will ordinarily deny such motions in the absence of a showing of manifest
25 error in the prior ruling or a showing of new facts or legal authority which could not have been
26 brought to its attention earlier with reasonable diligence. Local Civil Rule 7(h). Zurich presents

1 the Court with declarations indicating that neither litigation counsel nor Zurich itself knew that
2 Ms. Thatcher had adjusted Aecon's claim or created potentially discoverable materials before
3 her deposition. (See Dkt. No. 226, Sparling Decl.; Dkt. No. 227, Gallanis Decl.) The Court will
4 not reconsider its ruling now based on these materials which could have been brought to the
5 Court's attention earlier.

6 The clerk is directed to send copies of this order to all counsel of record.

7 Dated: August 28th, 2008.

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10 Marsha J. Pechman
11 United States District Judge
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